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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,996	01/16/2004	Go-hyun Kim	1293.1299C	5008

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

KLIMOWICZ, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,996

Applicant(s)

KIM ET AL.

Examiner

William J. Klimowicz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 19-29 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 6 is objected to because of the following informalities:

With regard to claim 6 (line 2), the phrase “and common damper” (marked (original) by the Applicants), has been modified from the actual “original” claim language, which stated “and *the* common damper.” Emphasis added.

Claim 6 still infers that a structure of a “common damper” has been previously introduced, however based on the disclosure as a whole, this is now seen to be a minor informality. Claim 6, however, should still be modified to read, e.g., --a common damper-- or similar language. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 17 and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurosu (US 5,123,005).

As per claim 1, Kurosu (US 5,123,005) discloses an optical disc changer, comprising: a main body (2); a tray (7) slidably installed in the main body (2); a roulette (16) rotatably installed at the tray (7) to accommodate a plurality of optical discs (20); an optical pickup

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device (45) to reproduce the optical disc (20) accommodated on the roulette (16); a first hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) protruding from one of the tray (7) and the main body (2) and a first stop member (14) provided on the other of the tray (7) and the main body (2) at a position to bump against the hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) at a point when loading is completed (e.g., see, *inter alia*, FIGS. 12A and 14A; see also COL. 5, line 63 through COL. 6, line 2; COL. 13, lines 19-26); and a first damper (6) provided at a bump portion of the first hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) and/or the first stop member (14).

As per claim 2 further comprising a second hook step (e.g., right side of undepicted portion of chassis on which another right side undepicted elastic portion of (6) is mounted) and a second stop member (e.g., right side of undepicted portion of (14)) is disposed so that the second hook step bumps against the second stop member at a point where unloading is completed (e.g., see FIG. 12, wherein the shown left-side portion corresponds to the undepicted right-side portion), to limit a movement range of the tray (7) during unloading, and a second damper (undepicted right-side (6) which corresponds to the depicted left-side (6) as seen in FIG. 12A) provided at a bump portion at the second hook step and/or the second stop member. That is, although the Figures only depict the left side portion of the tray, the undepicted corresponding right side portion also includes another stopper member and hook step as indicated at, *inter alia*, COL. 5, lines 63 through COL. 6, line 2.

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As per claims 3 and 5, wherein the first hook step and the second hook step form a common hook step. "Common" in the sense that they perform a "common" function and have a "common" structure.

As per claim 4, wherein the first damper and the second damper are respectively provided at both side surfaces (i.e., they are provided on right and left sides of the tray and chassis) of the "common" hook step.

As per claim 6, wherein the "common" hook step includes a protrusion (e.g., portion of chassis on which (6) is mounted) provided at the tray (7) or the main body (2), and the "common" damper ("common" in the sense that they perform a "common" function and have a "common" structure) has a cylindrical shape and is fixedly inserted around the protrusion.

Response to Arguments

Applicants' arguments filed December 7, 2004 have been fully considered but they are not persuasive.

The Applicants allege that:

By way of review, paragraph 5, line 63 through paragraph 6, line 2 of Kurosu sets forth reference numeral 6 denotes stopper members which are fixed to the slight inside portions of two right and left tray supporting projections 5 which are located at the frontmost positions among the tray supporting projections 5 in the front portion of the chassis 4. Therefore, Kurosu fails to disclose first hook step protruding from one of the tray as recited claim 1.

See page 6 of the Response filed December 7, 2004.

The Examiner respectfully disagrees. More concretely, as per claim 1, Kurosu (US 5,123,005) indeed discloses a first hook step (e.g., *portion of chassis* on which the elastic

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portion of (6) is *fixed* or mounted) protruding from one of the tray (7) and the main body (2). That is, the bumper (6) is indeed fixed to the tray. The element which fixes the bumpers is considered to be the hook, which is shown in the Figures as a central element upon which the bumper is positioned over.

Additionally, as per claim 1, Kurosu (US 5,123,005) further discloses a first stop member (14) provided on the other of the tray (7) and the main body (2) at a position to bump against the hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) at a point when loading is completed (e.g., see, inter alia, FIGS. 12A and 14A; see also COL. 5, line 63 through COL. 6, line 2; COL. 13, lines 19-26); and a first damper (6) provided at a bump portion of the first hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) and/or the first stop member (14).

Allowable Subject Matter

Claims 7-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 17 and 19-29 are currently allowed over the applied art of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

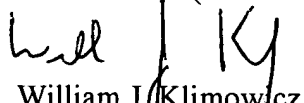
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William J. Klimowicz
Primary Examiner
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WJK